

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

HILL, et al.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No: 3:14-cv---213-SA-RP
)	
HILL BROTHERS CONSTRUCTION)	
COMPANY, INC., et al.,)	
)	
Defendants.)	

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL
OF A CLASS ACTION SETTLEMENT AND CERTIFICATION OF
THE SETTLEMENT CLASS**

COME NOW Plaintiffs Robert K. Hill, Donald Byther, Sandy Byther, Keith Clark, Samuel Copeland, B.T. Erve, Percy Evans, George Flakes, Scott Goolsby, Sheila Kelly, Paul Leonard, Fred Smith, Dewayne Toliver, Ulysses Wiley, and Warlfoyd Winters (hereinafter "Class Representatives" or "Plaintiffs") and Class Counsel, Matthew Y. Harris (hereinafter "Harris"), Diandra Debrosse Zimmermann (hereinafter "Debrosse), Edgar C. Gentle, III (hereinafter "Gentle"), L.N. Chandler Rogers (hereinafter "Rogers") and Sterling DeRamus (hereinafter "DeRamus"), (collectively referred to herein as "Class Counsel"), and hereby respectfully move this Court to enter an Order granting final approval of a Class Action Settlement and Certification of the Settlement Class:

1. The Plaintiffs and Class Counsel move this Honorable Court to enter an Order granting final approval of a Class Action Settlement and Certification of the Settlement Class;
2. As discussed more fully in a supporting memorandum brief, final approval of a Class Action Settlement and Certification of the Class is both unopposed by the Defendants and is warranted as the Class Settlement is fair, adequate and reasonable under the pertinent portions

of the *Federal Rules of Civil Procedure* and supporting case law. Moreover, the Class Settlement satisfies the requirements set forth in Fed. R. Civ. P. Rule 23(a) and Fed. R. Civ. P. Rule 23(b)(3).

3. In support of this *Unopposed Motion for Final Approval of Class Action Settlement and Certification of the Settlement Class*, Plaintiffs would rely on their Memorandum Brief, which is being filed contemporaneously, and the following Exhibits which are attached hereto and incorporated into said Motion by reference:

Exhibit 1: Memorandum of Settlement Agreement;

Exhibit 2: Class Action Settlement Agreement;

WHEREFORE, Plaintiffs and Class Counsel respectfully request that this Honorable Court enter an Order granting:

1. Final Approval of the proposed Settlement; and
2. Certifying the Settlement Class
3. All further relief which this Honorable Court deems proper.

RESPECTFULLY SUBMITTED, this the 7th day of August, 2017.

/s/ L.N. Chandler Rogers
MS State Bar No. 102543

/s/ Matthew Y. Harris
MS STATE BAR NO. 99595

/s/ Diandra S. Debrosse Zimmermann
AL State Bar No. ASB-2956-N76D *Admitted Pro Hac Vice*

/s/ Edgar C. Gentle, III
AL State Bar No. ASB-0349-E68E
Admitted Pro Hac Vice

Sterling L. Deramus
AL State Bar No. ASB-6781-R60S
Admitted Pro Hac Vice

Attorneys for Plaintiffs

OF COUNSEL:

THE LAW OFFICES OF MATTHEW Y. HARRIS, PLLC

218 South Denton Road, Suite A
New Albany, Mississippi 38652
(662) 539-7381 (voice)
(662) 539-7012 (facsimile)
mharris@myharrislaw.com

ROGERS LAW GROUP, P.A.

201 East Bankhead St.
New Albany, Mississippi 38652
(662) 538-5990 - telephone
(662) 538-5997 - facsimile
chandler@rogerslawgroup.com

ZARZAUR MUJUMDAR & DEBROSSE – Trial Lawyers

2332 2nd Avenue North
Birmingham, Alabama 35203
(205) 983-7985 (voice)
(888) 505-0523 (facsimile)
fuli@zarzaur.com

GENTLE, TURNER, SEXTON, AND HARBISON

Suite 100-501 Riverchase Parkway East
Hoover, Alabama 35244
(205) 716-3000 (voice)
(205) 716-3010 (facsimile)
escrowagen@aol.com

STERLING L. DeRAMUS

2229 1st Ave. North
Birmingham, Alabama 35203
(205) 504-0189 (voice)
(205) 449-7392
sderamus@deramuslaw.com

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2017, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which sent notifications of such filing to all counsel of record:

Diandra S. Debrosse Zimmerman, Esq.

fuli@zarzaur.com

Matthew Y. Harris, Esq.

mharris@myharrislaw.com

Edgar C. Gentle, III, Esq.

escrowagen@aol.com

Sterling L. Deramus, Esq.

sderamus@deramuslaw.com

John S. Hill, Esq.

jhill@mitchellmcnutt.com

Stuart S. Davis, Esq.

sdavis@rayburnlaw.com

Lawrence J. Tucker, Jr., Esq.

lawrencetucker@hickmanlaw.com

William B. Raiford, III, Esq.

will@chapman-lewis-swan.com

Scot Spragins, Esq.

SSpragins@hickmanlaw.com

John Booth Farese, Esq.

jbooth@fareselaw.com

Ralph Chapman, Esq.

ralph@chapman-lewis-swan.com

Guy Mitchell, Esq.

gmitchell@mitchellmcnutt.com

Kenneth H. Coghlan, Esq.

kcoghlan@rayburnlaw.com

SO CERTIFIED, this the 7th day of August, 2017.

/s/ L.N. Chandler Rogers